

# **Exhibit A**

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**From:** Diangco, Andrea - OSHA <Diangco.Andrea@dol.gov>  
**Sent:** Tuesday, November 22, 2022 3:48 PM  
**To:** Mantoan, Kathryn G. <kmantoan@orrick.com>  
**Cc:** Perry, Jessica R. <jperry@orrick.com>  
**Subject:** RE: Apple Inc./Gjovik/9-3290-22-051: Request for Information

Ms. Mantoan,

Thank you for providing this additional information, it will be added to the case. I'm nearing the conclusion of my investigation and hope to issue a determination within the next two months.

Thank you for your patience.

Regards,

**Andrea Diangco** (she/her)  
Investigator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA

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**From:** Mantoan, Kathryn G. <[kmantoan@orrick.com](mailto:kmantoan@orrick.com)>  
**Sent:** Thursday, November 17, 2022 9:37 AM  
**To:** Diangco, Andrea - OSHA <[Diangco.Andrea@dol.gov](mailto:Diangco.Andrea@dol.gov)>  
**Cc:** Perry, Jessica R. <[jperry@orrick.com](mailto:jperry@orrick.com)>  
**Subject:** RE: Apple Inc./Gjovik/9-3290-22-051: Request for Information

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Dear Ms. Diangco:

As you continue to review the above-referenced matter, we write to bring to your attention that Ms. Gjovik has recently again disclosed confidential Apple information in violation of her ongoing confidentiality obligations – this time by posting a version of her complaint in this matter at both <https://ashleygjovik.files.wordpress.com/2022/10/us-dol-complaint-redacted.pdf> and <https://github.com/justiceatapple/Gjovik-v-Apple-Legal-Memos/blob/main/us-dol-complaint-redacted-compressed.pdf>. The document is hundreds of pages long and contains multiple references to confidential Apple information; for example, on pages 299-300, Ms. Gjovik quotes internal websites about an internal app study (the one referred to as the “Alpha” study in Apple’s March 4, 2022 position statement). To our knowledge,

the confidential information Ms. Gjovik disclosed regarding this study has not been publicly disclosed until now or independent of Ms. Gjovik.

Ms. Gjovik's recent disclosure is part of a pattern. As Apple explained in its position statement, Ms. Gjovik publicized confidential information about internal app studies in August 2021 and was terminated for doing so. With her recent disclosure, Ms. Gjovik has unfortunately continued the pattern and again violated her confidentiality obligations. Based on this additional evidence and the other information and evidence we have provided to date (including on March 4, 2022 and September 30, 2022), Ms. Gjovik's retaliation claims should be dismissed.

Please let us know if you have any questions about this information or if you would like to discuss. We look forward to resolution of this matter.

Thank you,  
Katie

**Kathryn G. Mantoan**  
*Attorney*  
Pronouns: she / her / hers

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**From:** Diangco, Andrea - OSHA <[Diangco.Andrea@dol.gov](mailto:Diangco.Andrea@dol.gov)>  
**Sent:** Monday, October 3, 2022 4:12 PM  
**To:** Mantoan, Kathryn G. <[kmantoan@orrick.com](mailto:kmantoan@orrick.com)>  
**Cc:** Perry, Jessica R. <[jperry@orrick.com](mailto:jperry@orrick.com)>  
**Subject:** RE: Apple Inc./Gjovik/9-3290-22-051: Request for Information

Katie,

Thank you for your patience and apologies for the delay in responding to your extension request as I was in a work conference last week. I received the file and was able to successfully download it. I'll review it and let you know if I have any questions.

Regards,

**Andrea Diangco** (she/her)  
Investigator  
Whistleblower Protection Program  
U.S. Department of Labor – OSHA

**From:** Katie Mantoan <[files@orrick.com](mailto:files@orrick.com)>  
**Sent:** Friday, September 30, 2022 4:44 PM  
**To:** Diangco, Andrea - OSHA <[Diangco.Andrea@dol.gov](mailto:Diangco.Andrea@dol.gov)>  
**Cc:** [jperry@orrick.com](mailto:jperry@orrick.com)  
**Subject:** RE: Apple Inc./Gjovik/9-3290-22-051: Request for Information

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Dear Ms. Diangco:

Below please find a link to download Apple's response to your September 16, 2022 supplemental request for information. The cover letter identifies the exhibits thereto that contain confidential business information, and regarding which Apple requests to receive pre-disclosure notification pursuant to 29 C.F.R. § 70.26 in the event of any FOIA request covering this response.

Please let me know if you have any difficulty accessing the file or would like to discuss.

Thank you,  
 Katie

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## Files attached to this message

Filename	Size	Checksum (SHA256)
[Apple-Gjovik] 2022.09.30 Response to DOL Supplemental RFI.pdf	11.8 MB	f10f797bf0908ffe8e88345752963d62446e8254f7478b1cf9b86bd35d89d68

Please click on the following link to download the attachments:  
<https://files.orrick.com/message/HVEKk9CjBAFady0crL0BOp>

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